

IN SENATE OF THE UNITED STATES.

JANUARY 27, 1848.

Submitted, and ordered to be printed.

Mr. ASHLEY made the following

REPORT:

[To accompany bill S. No. 111.]

*The Committee on the Judiciary, to whom was referred the petition of Reynolds May, praying to be released from the payment of a forfeited recognizance to the United States, report:*

That in the month of January, 1846, the petitioner entered his recognizance to appear before the district court of the United States, for the State of Arkansas, as a witness in behalf of the United States, to testify against certain persons then under an indictment for felony; that, at the time of the trial, he was unable to appear at court in consequence of severe illness, which confined him to his bed; his recognizance was declared forfeited, and he was summoned to appear at the next term and shew cause why judgment should not be entered up against him to the amount of his recognizance. But being uninformed himself as to the rules and practices of a court of justice, he failed to appear *in person* at the next term of the court, but sent the certificate of the physician who attended him in his illness, supposing that to be all sufficient to exonerate him from any charge of seeking to avoid giving testimony on the trial, or of disregarding the orders of the court. In consequence of this failure to attend, which was wholly unpremeditated on his part, the certificate of his physician was disregarded and judgment entered against him for the sum of five hundred dollars, from which he prays Congress to release him.

The petitioner represents himself as being very poor, which is sustained by the return on the writ of execution which was issued against him on the judgment of *nulla bona*. A number of citizens of Benton county, Arkansas, testify to the good character of the petitioner, and to the truth of the facts in the petition, who, it would seem, has, in this instance, suffered altogether from his ignorance of the legal practices of the court, and not from any want of respect for the laws of his country.

The committee therefore report a bill for his relief.

IN SENATE OF THE UNITED STATES

JANUARY 27, 1848

Read, and ordered to be printed.

Mr. Ashmun made the following

REPORT

[To accompany bill S. No. 111]

The Committee on the Judiciary, to whom was referred the petition of Reynolds May, praying to be released from the payment of a forfeited recognizance to the United States, report:

That in the month of January, 1848, the petitioner entered his recognizance to appear before the district court of the United States for the State of Arkansas as a witness in behalf of the United States, to testify against certain persons then under an indictment for felony; that at the time of the trial, he was unable to appear at court in consequence of severe illness, with which he was afflicted; his recognizance was declared forfeited, and he was summoned to appear at the next term and show cause why judgment should not be entered up against him to the amount of his recognizance. But being unwell, he failed to appear in person at the next term of the court, but sent the certificate of the physician who attended him in his illness, supposing that he all sufficient to exonerate him from any charge of seeking to avoid giving testimony on the trial, or of disobeying the orders of the court. In consequence of this failure to attend, which was wholly unexcused, and judgment entered against him for the sum of five hundred dollars, from which he pays twenty dollars, which is retained by the return on the writ of execution which was issued against him on the judgment of nulla bona. A number of citizens of Benton county, Arkansas, testify to the good character of the petitioner, and to the truth of the facts in the petition, who would seem, in this instance, suffered altogether from his ignorance of the legal practices of the court, and not from any want of respect for the laws of his country.

The petitioner represents himself as being very poor, which is attested by the return on the writ of execution which was issued against him on the judgment of nulla bona. A number of citizens of Benton county, Arkansas, testify to the good character of the petitioner, and to the truth of the facts in the petition, who would seem, in this instance, suffered altogether from his ignorance of the legal practices of the court, and not from any want of respect for the laws of his country.

The committee therefore report a bill for his relief.